

**DECLARATION UNDER 35 USC §371(c)(4) FOR
PCT APPLICATION FOR UNITED STATES PATENT**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below under my name;

I verily believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought, namely the invention entitled: FUEL CELL STACK

described and claimed in international application number PCT/JP2004/016911 filed November 8, 2004.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations §1.56.

Under Title 35, U.S. Code §119, the priority benefits of the following U.S. and/or foreign application(s) filed by me or my legal representatives or assigns within one year prior to my international application are hereby claimed:

JP 2003-393802 filed November 25, 2003

JP 2004-158764 filed May 28, 2004

The following application(s) for patent or inventor's certificate on this invention were filed in countries foreign to the United States of America either (a) more than one year prior to my international application, or (b) before the filing date of the above-named foreign priority application(s):

ALL CORRESPONDENCE IN CONNECTION WITH THIS APPLICATION SHOULD BE SENT TO OLIFF & BERRIDGE, PLC, CUSTOMER NUMBER 25944, TELEPHONE (703) 836-6400.

I hereby declare that I have reviewed and understand the contents of this Declaration, and that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1	<i>Typewritten Full Name of Sole or First Inventor:</i>	Toshiyuki		INAGAKI
2	<i>Inventor's Signature:</i>	Given Name	Middle Initial	Family Name
3	<i>Date of Signature:</i>	April	19	2006
		Month	Day	Year
	Residence:	Toyota-shi	Aichi-ken	Japan
	Citizenship:	City	State or Province	Country
	Post Office Address: (Insert complete mailing address, including country)	c/o Toyota Jidosha Kabushiki Kaisha 1, Toyota-cho, Toyota-shi, Aichi 471-8571 Japan		

Note to Inventor: Please sign name on line 2 exactly as it appears in line 1 and insert the actual date of signing on line 3.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Toshiyuki INAGAKI

Application No.: New U.S. National Stage of PCT/JP2004/016911

Filed: May 9, 2006

Docket No.: 120682

For: FUEL CELL STACK

**TRANSMITTAL OF POWER OF ATTORNEY AND
STATEMENT UNDER 37 CFR § 3.73(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Power of Attorney from the Assignee.

In compliance with 37 CFR §3.73(b), the undersigned hereby states that

TOYOTA JIDOSHA KABUSHIKI KAISHA is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventor of the patent application identified above. A copy of the assignment is attached hereto and is concurrently being submitted for recordation.

The undersigned is authorized to act on behalf of the assignee.

In accordance with 37 CFR §1.36(a), submission of this Power of Attorney revokes any powers of attorney previously given.

ALL CORRESPONDENCE IN CONNECTION WITH THIS APPLICATION SHOULD BE SENT TO OLIFF & BERRIDGE, PLC, CUSTOMER NO. 25944, TELEPHONE (703) 836-6400.

Respectfully submitted,

James A. Oliff
Registration No. 27,075

Jesse O. Collier
Registration No. 53,839

JAO:JOC/per
Date: May 9, 2006

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Toshiyuki INAGAKI

Group Art Unit:

Application No.: National Stage Application
of PCT/JP2004/016911

Examiner:

Filed:

Docket No.: 120682

For: FUEL CELL STACK

SPECIFIC POWER OF ATTORNEY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Toyota Jidosha Kabushiki Kaisha, owner or co-owner of the entire right, title and interest in the above patent application by virtue of:

- a. being an inventor, or
- b. an Assignment
 - i. copy attached, or
 - ii. recorded at Reel _____, Frame _____ of the Patent Office microfilm records,

hereby appoints the patent practitioners associated with Oliff & Berridge, PLC Customer No. 25944 as attorneys of record to prosecute this application and all continuations and divisions thereof, and to transact all business in the Patent and Trademark Office.

The undersigned has reviewed the chain of title and confirms that the aforesaid title is in the owner. The undersigned is authorized to execute this document as or on behalf of the owner.

**ALL CORRESPONDENCE IN CONNECTION WITH THIS APPLICATION
SHOULD BE SENT TO OLIFF & BERRIDGE, PLC, CUSTOMER NO. 25944,
TELEPHONE (703) 836-6400.**

April 19, 2006

Date



Signature

Typed Name: Mr. Kenji Esaki

Title: General Manager, Intellectual
Property Division of Toyota Jidosha
Kabushiki Kaisha
(if acting on behalf of an Owner)